

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

**In the Matter of**

**CERTAIN AIR MATTRESS  
SYSTEMS, COMPONENTS  
THEREOF, AND METHODS OF  
USING THE SAME**

**Investigation No. 337-TA-971**

**LIMITED EXCLUSION ORDER**

The United States International Trade Commission (“Commission”) has determined that there is a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the unlawful importation, sale for importation, or sale within the United States after importation by Respondents Sizewise Rentals LLC, American National Manufacturing Inc., and Dires, LLC (“Respondents”) of certain air mattress systems, components thereof, and methods of using the same that infringe one or more of claims 12 and 16 of U.S. Patent No. 5,904,172 (“the ‘172 patent”).

Having reviewed the record in this investigation, including the written submissions of the parties and the public, the Commission has made its determination on the issues of remedy, public interest, and bonding. The Commission has determined that the appropriate form of relief is a limited exclusion order prohibiting the unlicensed entry of air mattress systems, components thereof, and methods of using the same manufactured by or on behalf of Respondents or their affiliated companies, parents, subsidiaries, licensees, or other related business entities, or their successors or assigns.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude the issuance of the limited exclusion order.

During the Presidential review period, the Commission has further determined to set a bond in the amount of zero (0) percent of entered value for the certain air mattress systems, components thereof, and methods of using the same that are manufactured by, for, or on behalf of the Respondents.

Accordingly, the Commission hereby ORDERS that:

1. Air mattress systems, components thereof, and methods of using the same that infringe claims 12 or 16 of the '172 patent that are manufactured abroad by or on behalf of, or imported by or on behalf of, Respondents, or their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns, are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, for the remaining terms of the patent, except under license of the patent owner or as provided by law.
2. Notwithstanding paragraph 1 of this Order, the aforesaid certain air mattress systems, components thereof, and methods of using the same are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption under bond in the amount of zero (0) percent of entered value by, for, on or behalf of Respondents pursuant to subsection (j) of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337(j)), and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 Fed. Reg. 43251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved

but, in any event, not later than sixty (60) days after the date of receipt of this Order.

3. At the discretion of U.S. Customs and Border Protection (“CBP”) and pursuant to the procedures it establishes, persons seeking to import air mattress systems, components thereof, and methods of using the same that are potentially subject to this Order may be required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses to substantiate the certification.
4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to air mattress systems, components thereof, and methods of using the same that are imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.
5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.76).
6. The Secretary shall serve copies of this Order upon each party of record in this investigation.

7. Notice of this Order shall be published in the Federal Register.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton'.

Lisa R. Barton  
Secretary to the Commission

Issued: May 17, 2017

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**Inv. No. 337-TA-971**

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, **Andrew Beverina, Esq.**, and the following parties as indicated, on **May 17, 2017**.



Lisa R. Barton, Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112  
Washington, DC 20436

**On Behalf of Complainants Select Comfort Corporation and  
Select Comfort SC Corporation:**

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- ☐ Via Hand Delivery  
☒ Via Express Delivery  
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☐ Other: \_\_\_\_\_

**On Behalf of Respondents Sizewise Rentals, LLC, American  
National Manufacturing, Inc., and Dires, LLC, d/b/a Personal  
Comfort Bed:**

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